



VERNON L. BRADLEY (SBN 49294)  
**LAW OFFICES OF VERNON L. BRADLEY**  
Waldo Point Harbor  
54 Liberty Dock  
Sausalito, California 94965-3106

Telephone: (415) 331-4441  
Facsimile: (415) 331-4443

Attorney for Plaintiff,  
PATRICIA C. KVAM

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PATRICIA C. KVAM,

Plaintiff,

v.

CHASE HOME FINANCE, LLC, a Delaware  
Limited Liability Corporation, purported  
successor in interest to WASHINGTON  
MUTUAL BANK, F.A., a Washington  
Corporation; CALIFORNIA  
RECONVEYANCE COMPANY, a California  
corporation, DOES 1 through 20, inclusive,  
and all persons unknown, claiming any legal  
or equitable right, title, estate, lien, or interest  
in the property described in the complaint  
adverse to Plaintiffs' title, or any cloud on  
Plaintiffs' title thereto, named as DOES 21-  
100, inclusive,

Defendants.

Case No.: 3:11-cv-04004-MEJ

**REQUEST FOR LEAVE OF COURT TO  
MOTION TO VACATE OR SET ASIDE THE  
COURT'S ORDER TO DISMISS**

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Plaintiff Patricia C. Kvam's attorney of record has made an error and mistake by missing the  
emailed notices for both the motion to dismiss and the order to show cause. Plaintiff requests the  
Court grant her leave to re-set the Defendant's motion to dismiss date, or allow Plaintiff to file a  
motion to set aside and vacate your Honor's Order Dismissing Case. Your Honor's Order is  
attached hereto as Exhibit A. Such motion to vacate would go unopposed as Chase's Counsel,

1 Cyndi Claxton. has already agreed to allow us to go forward on the merits and not oppose a motion  
2 to set aside and vacate the prior order of dismissal. Claxton's email confirming her non-opposition  
3 is attached as Exhibit B.

4 Please allow us to vacate the order and re-set a date for the motion to dismiss with enough days  
5 for both an opposition and reply so as to prevent any prejudice to either party.

6 Date: October 17, 2011

Law Office of Vernon L. Bradley

7 Vernon L. Bradley

8 Attorney for Plaintiff,

9 Patricia C. Kvam.

10  
11 This case is hereby REOPENED. Plaintiff shall file any opposition to Defendant's motion to  
12 dismiss by October 27, 2011. Defendant shall file any reply by November 10, 2011. The  
13 Court shall conduct a hearing on December 8, 2011 at 10:00 a.m. in Courtroom B, 15th Floor,  
450 Golden Gate Avenue, San Francisco, California.

14 IT IS SO ORDERED.

15 Dated: October 20, 2011



Exhibit A

UNITED STATES DISTRICT COURT  
Northern District of California

PATRICIA K KVAM,

No. C 11-04004 MEJ

Plaintiff.

**ORDER DISMISSING CASE**

v.

CHASE HOME FINANCE LLC, et al.,

Defendants.

On September 6, 2011, the Defendants in the above-captioned matter filed a motion to dismiss, with a noticed hearing date of October 20, 2011. Dkt. No. 5. As Plaintiff Patricia Kvam failed to file an opposition pursuant to Civil Local Rule 7, the Court ordered Plaintiff to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Dkt. No. 10. The Court ordered Plaintiff to file a responsive declaration by October 6, 2011. Plaintiff has failed to respond. Accordingly, based on Plaintiff's failure to oppose Defendants' motion to dismiss and failure to respond to the order to show cause, this case is hereby DISMISSED WITHOUT PREJUDICE. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

Dated: October 13, 2011

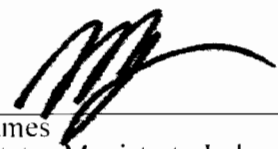
  
\_\_\_\_\_  
Maria-Elena James  
Chief United States Magistrate Judge

Exhibit B

**Vernon L. Bradley**

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**From:** Claxton, Cyndi [claxtonc@bryancave.com]  
**Sent:** Thursday, October 13, 2011 3:00 PM  
**To:** 'Vernon L. Bradley'  
**Subject:** Kvam: Your Motion to Set Aside

Dear Mr. Bradley:

This confirms our discussion earlier today regarding the court's dismissal of plaintiffs' case for failure to prosecute/respond to the Order to Show Cause and oppose the motion to dismiss.

We will not oppose plaintiff's motion brought on the basis of inadvertence and error to set aside the dismissal.

Sincerely,

Cyndi J. Claxton, Esq.  
Bryan Cave LLP  
Two Embarcadero Center,  
Suite 1410  
San Francisco, CA 94111  
(415) 675-3462 Phone  
(415) 675-3686 Fax  
[claxtonc@bryancave.com](mailto:claxtonc@bryancave.com)

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